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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

JUN 3 - 1991

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Application of

ARIS MARDIROSSIAN

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File No. BPH-901224MI

For a New FM Broadcast Station  
on Channel 295A  
Ocean City, Maryland

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To: Chief, Audio Services Division

JUN 04 1991

FM EXAMINERS

PETITION FOR LEAVE TO AMEND

Aris Mardirossian ("Mardirossian"), by his attorneys and pursuant to Section 1.65 of the Commission's rules, hereby petitions for leave to amend the above-captioned application to reflect the enclosed amendment.

The proffered amendment reports receipt of correspondence from the Federal Aviation Administration regarding the proposed tower site. Mardirossian is in the process of considering the options available to resolve the issues raised by the FAA.


The amendment also reports that the application of Mardirossian Broadcasting, Inc. for authority to construct a new FM broadcast station in Fernandina Beach, Florida has been designated for hearing.

This amendment will not result in comparative upgrading, necessitate additional hearings or the enlargement of issues, disrupt the orderly conduct of proceedings, or cause unfair prejudice to other parties. Therefore, there is good cause for acceptance of the amendment.

WHEREFORE, in light of the foregoing, it is respectfully requested that this petition be granted and that the enclosed amendment be accepted.

Respectfully submitted,

ARIS MARDIROSSIAN

By: 

Nora E. Garrote  
PIPER & MARBURY  
1200 19th Street, N.W.  
Washington, D.C. 20036  
(202) 861-3900

His Attorneys

June 3, 1991

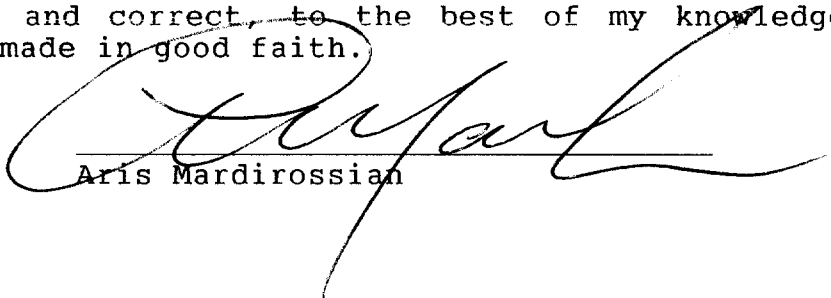
JUN 3 - 1991

AMENDMENTFEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The application of Aris Mardirossian for authority to construct a new FM broadcast station in Ocean City, Maryland (BPH-901224MI), on Channel 295A, is hereby amended to report receipt of the enclosed communications from the Federal Aviation Administration ("FAA") regarding the proposed tower site. Mr. Mardirossian is considering the options available to resolve the issues raised by the FAA.

This amendment also reports that the previously reported application of Mardirossian Broadcasting, Inc. for authority to construct a new FM broadcast station in Fernandina Beach, Florida, was designated for hearing on February 13, 1991, under MM Docket No. 91-17.

I hereby certify that the statements herein contained are true, complete, and correct, to the best of my knowledge and belief, and are made in good faith.

  
Aris MardirossianDate: May 28, 1991



U.S. Department  
of Transportation

Federal Aviation  
Administration

**SYSTEM MANAGEMENT BRANCH, AEA-530  
AIR TRAFFIC DIVISION/EASTERN REGION  
FEDERAL AVIATION ADMINISTRATION  
FITZGERALD FEDERAL BUILDING  
JFK INTERNATIONAL AIRPORT  
JAMAICA, NEW YORK 11430**

IN REPLY REFER TO  
**AERONAUTICAL STUDY  
NO. 90-AEA-1996-OE**

**RECEIVED**  
**MAY 20 1991**

COHEN, DIPPPELL AND EVERIST  
WASHINGTON, DC

**AERONAUTICAL STUDY OF PROPOSED CONSTRUCTION OR ALTERATION**

<b>SPONSOR</b>	<b>Aris Mardirossian c/o Cohen, Dippell &amp; Everist, P.C. 1300 L Street, N.W., Suite 1100 Washington, DC 20005</b>	<b>CONSTRUCTION LOCATION</b>	
		<b>PLACE NAME</b>	
		<b>Ocean City, MD</b>	
		<b>LATITUDE</b>	<b>LONGITUDE</b>
		<b>38-20-04</b>	<b>75-07-16</b>
		<b>HEIGHT (IN FEET)</b>	
		<b>ABOVE GROUND</b>	<b>ABOVE MSL</b>
		<b>343</b>	<b>353</b>

**CONSTRUCTION  
PROPOSED**

**DESCRIPTION**

**Antenna Tower 106.9 MHZ 3 KW**

A notice has been filed with the Federal Aviation Administration that the above described structure is proposed for construction. As proposed the structure would exceed the standards of Subpart C of Part 77 of the Federal Aviation Regulations and would be identified as an obstruction to air navigation. Accordingly, the FAA is conducting an aeronautical study of the proposal to determine its effect upon the safe and efficient use of the navigable airspace by aircraft and on the operation of air navigation facilities.

In the study, consideration will be given to all facts relevant to the effect of the proposal on existing and planned airspace use; air navigation facilities; airports; aircraft operations, procedures and minimum flight altitudes; and the air traffic control system. However, only those plans on file with the FAA, on the date the notice concerning the above described proposed construction was received, will be considered.

Interested persons are invited to participate in the aeronautical study by submitting comments to the FAA office issuing this notice. To be eligible for consideration, comments must be relevant to the effect the proposed construction would have on aviation, provide sufficient detail to permit a clear understanding, and be received on or before **July 3, 1991**. Please refer to the aeronautical study number printed in the upper right hand corner of this notice.

This notice may be reproduced and recirculated by any interested person.

**This proposal is to construct an antenna tower approximately one nautical mile (NM) north Ocean City Airport in the vicinity of Ocean City, MD.**

**At this location and height, this structure would exceed the Obstruction Standards of FAR Part 77 as follows:**

**Section 77.23(a) (2) Structures which exceed a specified height within a specified distance of an airport as applied to Ocean City, MD Airport by 141 feet.**

**Section 77.23(a) (5) Airport surfaces by penetrating:**

**(continued)**

SIGNED

*Francis T. Jordan Jr.*  
**Francis T. Jordan Jr.**

TITLE

**Airspace Specialist, System Management Branch**

ISSUED IN

**Jamaica, NY**

ON **June 3, 1991**

**AIRPORT MANAGERS - PLEASE POST**

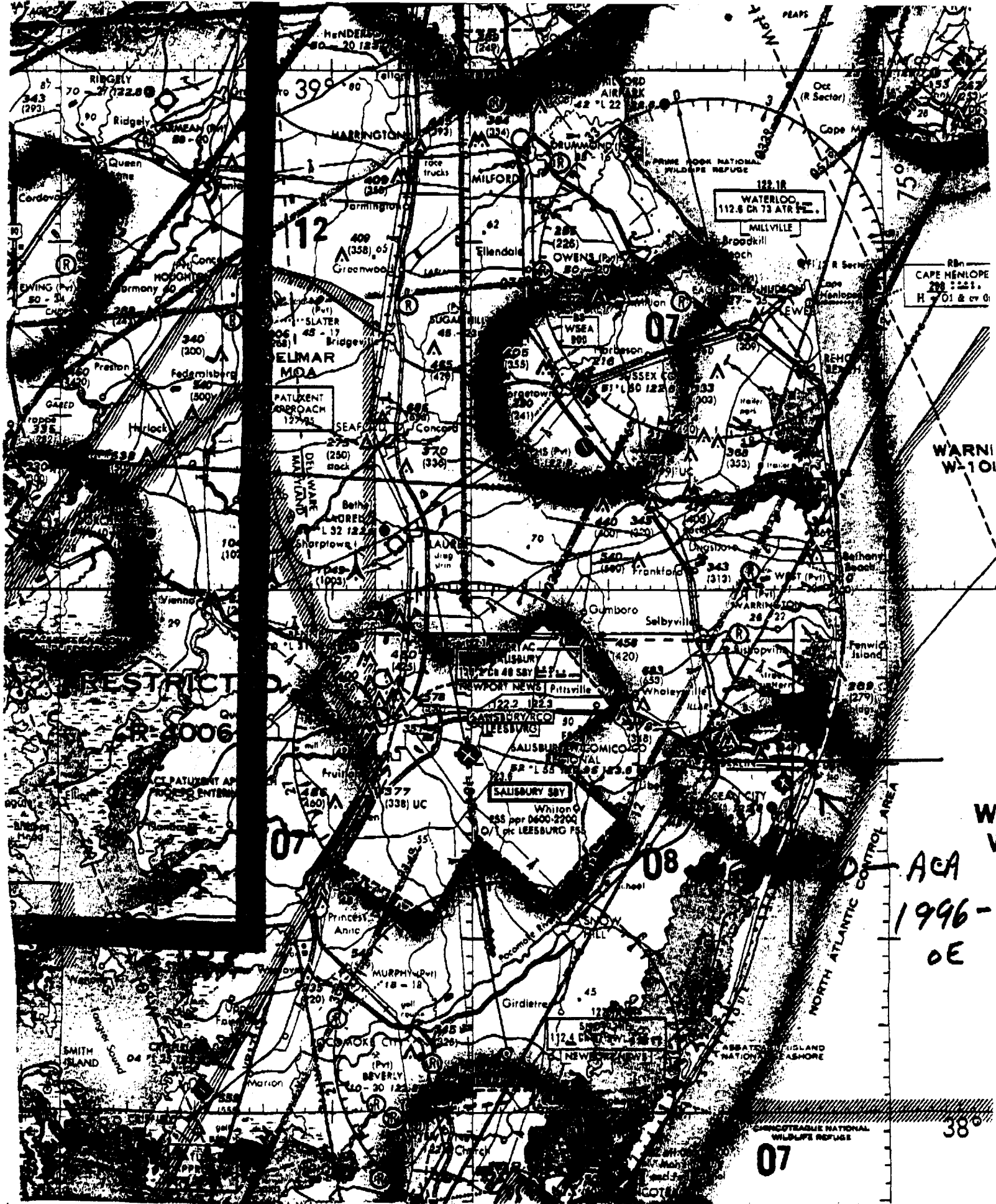
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AERONAUTICAL STUDY NO. 90-AEA-1996-OE

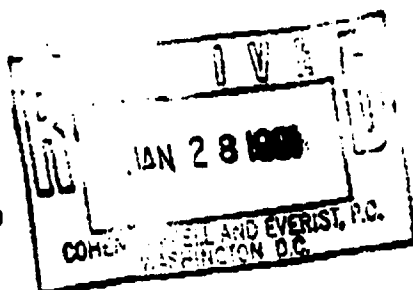
Section 77.25(a) (1) Horizontal surface of Ocean City, MD  
Airport by 191 feet.

NOTE: Preliminary study indicates no instrument impact.





U.S. Department  
of Transportation  
Federal Aviation  
Administration



Eastern Region

Fitzgerald Federal Building  
John F. Kennedy  
International Airport  
Jamaica, New York 11430

# ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

CITY	STATE	LATITUDE/LONGITUDE		MSL	AGL	AMSL
OCEAN CITY	MD	38-20-04.00	075-07-16.00	10	343	353

ARIS MARDIROSSIAN  
C/O COHEN, DIPPELL AND EVERIST, PC  
1300 L STREET, NW, SUITE 1100  
WASHINGTON DC 20005

AERONAUTICAL STUDY  
No: 90-AEA-1996-OE

Type Structure: ANTENNA TOWER 106.9 MHZ 3 KW

The Federal Aviation Administration hereby acknowledges receipt of notice dated 12/20/90 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would exceed FAA obstruction standards and further aeronautical study is necessary to determine whether it would be a hazard to air navigation. Pending completion of any further study, it is presumed the construction would be a hazard to air navigation.

Further study may be requested by the sponsor within 30 days of this acknowledgement.

If the proposed structure were reduced in height to not exceed 151 feet above ground level ( 161 feet above sea level), it would not exceed Part 77 obstruction standards.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that Agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

ED *Francis T. Jordan* Specialist, Systems Management Branch

Francis T. Jordan

(718)917-1230/1228

ISSUED IN: Jamaica, New York

01/24/91